

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, the claims have been amended in response to the rejection of the claims under the second paragraph of 35 U.S.C. §112, thus rendering this rejection moot.

One of the claims specifically referred to by the Examiner is claim 73, which is rejected as containing terms without proper antecedent basis. The wording of claim 64 is identical to claim 73 except for its dependency. Therefore, claim 64 has been amended in the same manner as claim 73.

The patentability of the presently claimed invention over the disclosures of the references relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

Thus, the rejection of claims 36-73 under 35 U.S.C. §103(a) as being unpatentable over EP 0892084 (EP '084) in combination with JP 2002-155391 (JP '391) is respectfully traversed.

Both of these references are cited in Applicant's IDS filed with the present application on March 7, 2005, which is based on the International Search Report. That is, both the EP '084 and JP '391 references are cited in the International Search Report.

The translation of the International Preliminary Report on Patentability (a copy of which is of record according to the Notice of Acceptance mailed September 14, 2005) is based on the amended PCT claims, which correspond to the present U.S. claims under consideration in the present application. As stated in the translation of the International Preliminary Report on Patentability:

The documents that are cited in the international search report do not disclose or suggest a method for cleaning at least the portions of the copper alloy piping material that come into contact with a fluid by means of a cleaning solution that comprises nitric acid and hydrochloric acid as an inhibitor, wherein the aforementioned copper alloy piping material comprises either both lead and nickel or only nickel, and cleaning is implemented using a processing temperature and a processing period

whereby it is possible to effectively remove said components.

Furthermore, such a feature would not be obvious to a person skilled in the art.

For the same reasons as set forth above, Applicant takes the position that the presently claimed invention is patentable over these same references.

In addition, Applicant notes that the present invention relates particularly to effectively removing, by washing, both lead segregated on the liquid-contact part of a plumbing device made of a copper alloy, and nickel (nickel salt) in a plating solution attached to the upper surface of the segregated lead, or the nickel alone (as set forth in claims 52 and 63 and as described at page 28, lines 10-27, and page 30, lines 1-24 of the present specification).

On the other hand, EP '084 discloses a technique using a mixed acid comprising a nitric acid and a hydrochloric acid, but neither discloses nor suggests a nickel salt.

JP '391 provides a method to reduce elution of nickel from water feed appliances made of copper or a copper alloy, by applying at least nickel plating to the appliances, then applying chrome plating thereto, followed by removing the nickel plating protruded from the chrome plating.

The Examiner states that it would have been obvious for one skilled in the art to use the nickel-plating step taught by JP '391 in the EP '084 process "to improve the treating process." However, the art-skilled would reasonably expect that using a nickel-plating step in the process of the EP '084 reference would prevent the objective or intended purpose of EP '084 of corroding the lead with the acid-containing detergent as expressed, for example, in the abstract of EP '084. That is, the purpose of EP '084 is to use the acid-containing detergent to induce corrosion of lead dissolved out onto a surface layer of the liquid-contacting part of the piping device to delead the surface layer of the liquid-contacting part. If, as the Examiner suggests, the piping device of EP '084 is subjected to a nickel-plating step, then the acid-containing detergent would effectively be prevented from inducing corrosion of the lead which has been covered by the nickel-plating layer.

According to MPEP 2143.01, section V, if a proposed modification of a prior art reference would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. Since, as explained above, modifying EP '084 by using the nickel-plating step taught by JP '391 would render the invention of EP '084 unsatisfactory for its intended purpose, Applicant respectfully submits that one of ordinary skill in the art would not combine the references in the manner suggested by the Examiner.

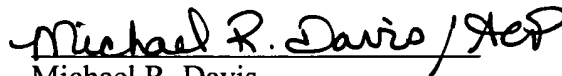
For these reasons, Applicant takes the position that the presently claimed invention is clearly patentable over the applied references.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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October 30, 2006